

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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STRIKE 3 HOLDINGS, LLC,

Plaintiff,

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

- against -

2:18-cv-7323 (DRH) (SIL)

JOHN DOE, *subscriber assigned IP address*
74.90.20.20,

Defendant.
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HURLEY, Senior District Judge:

Presently before the Court is the Report and Recommendation of Magistrate Judge Steve I. Locke, dated September 20, 2021 (the “R&R” [DE 23]), recommending the Court grant Plaintiff Strike 3 Holdings, LLC’s motion for default judgment and award Plaintiff: (1) \$24,000.00 in statutory damages; (2) \$400.00 in fees and costs; and (3) post-judgment interest pursuant to 28 U.S.C. § 1961(a). More than fourteen (14) days have passed since service of the R&R, *see* [DE 24], and no objections have been filed.

According to the Amended Complaint, Defendant illegally downloaded, copied and distributed thirty-two (32) Films¹ through the peer-to-peer filing sharing software BitTorrent without Plaintiff’s authorization – thereby infringing Plaintiff’s copyright. *See* [DE 9].

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, this Court has reviewed the R&R for clear error, and finding none, now concurs in both

¹ The term “Films,” as defined in the R&R, refers to the copyrighted films of which Plaintiff is the registered owner. R&R at 2.

its reasoning and its result. For that reason, this Court adopts the September 20, 2021 R&R of Judge Locke as if set forth herein. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for default judgment is granted and Plaintiff is awarded (i) \$24,000.00 in statutory damages, (ii) \$400.00 in fees and costs, and (iii) post-judgment interest thereon pursuant to 28 U.S.C. § 1961(a); and

IT IS FURTHER ORDERED that the caption of the case be amended to reflect the true name of the defendant, to wit RICHARD RUIZ, in lieu and instead of JOHN DOE, subscriber assigned IP Address 74.90.20.20.

The Clerk of Court is respectfully directed to enter judgment accordingly and close this case.

SO ORDERED.

Dated: Central Islip, New York
October 20, 2021

s/ Denis R. Hurley
Denis R. Hurley
United States District Judge